



CONTROLLED
UNCLASSIFIED
INFORMATION

Controlled Unclassified Information (CUI)

Overview

Freedom of Information Act (FOIA) Training Conference

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Why is the CUI program necessary?

- At present, **executive departments and agencies employ ad-hoc, agency-specific** policies, procedures, and markings to safeguard and control dissemination of unclassified information pursuant to law, regulations, and Government-wide policies.
- This has resulted in **more than 100 different policies and markings** for such information across the Executive branch.
- This inefficient, confusing patchwork system has resulted in inconsistent marking and safeguarding of documents, led to unclear or unnecessarily restrictive dissemination policies, and **created impediments to authorized information sharing**.

The CUI program is designed to address these deficiencies as an open and standardized way for the Executive branch to manage all unclassified information that requires such controls.



Executive Order (E.O.) 13556

On November 4, 2010, the President signed E.O. 13556 entitled “Controlled Unclassified Information.” Consequently, the CUI Executive Agent issued Initial Implementation Guidance for this Order on June 9, 2011.

The EO:

- Establishes an **open and uniform program** for managing unclassified information that requires safeguarding or dissemination controls pursuant to and consistent with law, regulations, or Government-wide policies.
- Identifies the **National Archives and Records Administration (NARA)** as the Executive Agent (EA) to implement the EO and oversee department and agency actions to ensure compliance.
- Rescinds the Presidential Memorandum of May 7, 2008, entitled “Designation and Sharing of Controlled Unclassified Information (CUI).”



Key Elements of the CUI Program

- **Scope:** The program manages all unclassified information in the Executive branch that requires safeguarding or dissemination controls, pursuant to and consistent with applicable law, regulations, and Government-wide policies.
- **Designation:** CUI categories and subcategories shall serve as the exclusive designations for identifying and organizing all types of such unclassified information throughout the Executive branch.
- **Implementation Strategy:** Departments and agencies will review all categories, subcategories, and markings used to designate unclassified information for safeguarding and dissemination controls and submit proposed categories, subcategories, and markings to the EA for review and approval. The initial submission took place on May 3, 2011.



Key Elements of the CUI Program (continued)

- **Registry:** The EA will create a public registry of all approved CUI terms. This registry will consist of categories, subcategories, and markings of CUI, along with applicable safeguarding, dissemination, and decontrol procedures.
- **Openness:** The CUI registry and implementing directives will be available to the public and the EA will be consulting with representatives of the public on matters related to the approval of categories and subcategories of CUI and developing implementing directives.
- **Freedom of Information Act (FOIA):**
“The mere fact that information is designated as CUI shall not have a bearing on determinations pursuant to any law requiring the disclosure of information or permitting disclosure as a matter of discretion, including disclosures to the legislative or judicial branches” Section 2(b).



CUI Governance Structure

CUI Executive Agent

E.O. 13556 designates NARA as the CUI Executive Agent (EA). The EA will be responsible for issuing implementation directives, conducting oversight, managing the CUI program, and producing a report annually the first five years, and biennially thereafter, on the status of agency implementation of the Order.

Departments and Agencies

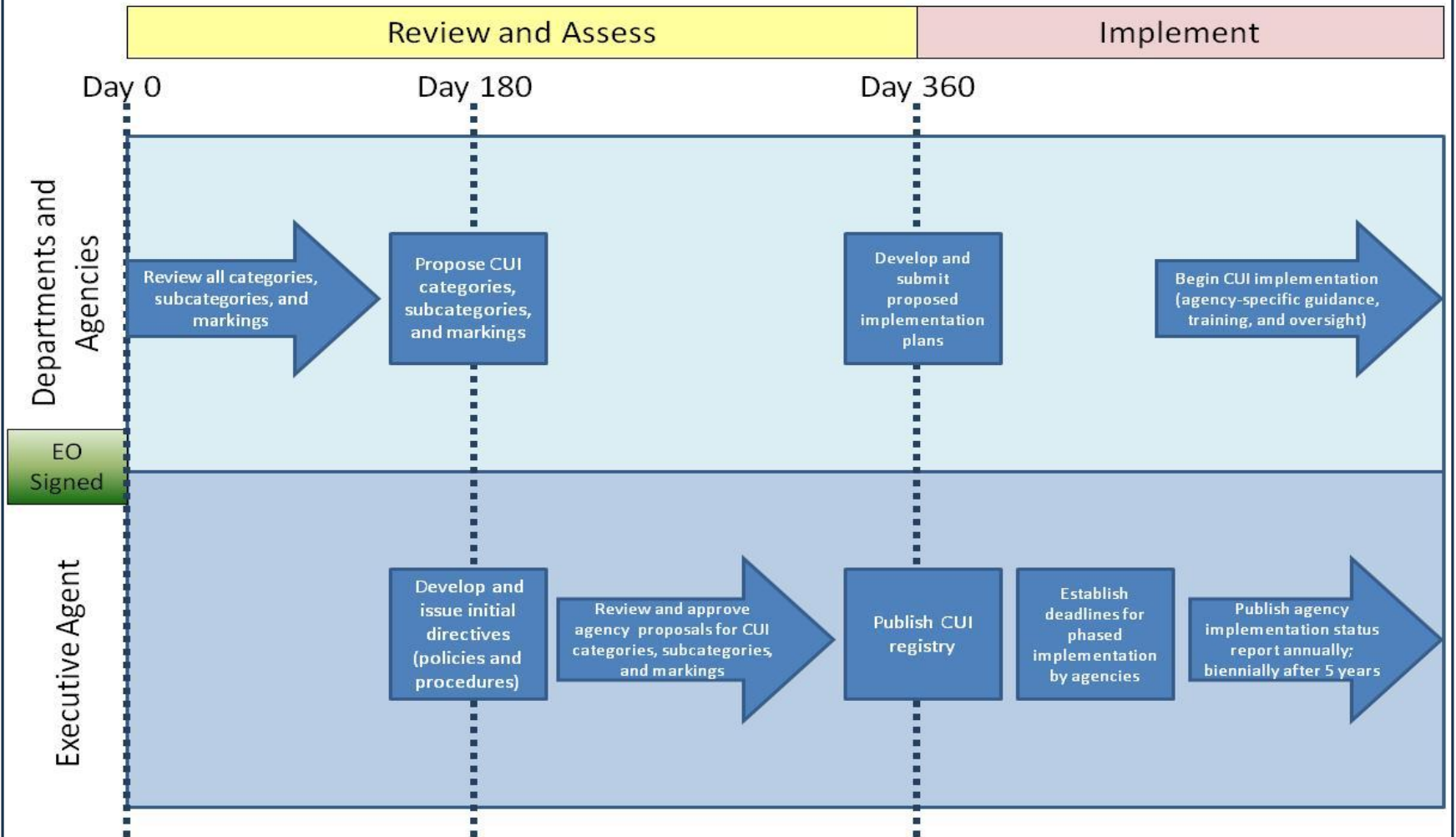
Each department and agency will identify a mechanism, i.e., office or individual(s), responsible for administering CUI policy. Agencies will also develop tailored CUI policies to meet agency-specific needs, as well as establish an internal oversight mechanism to promote consistent practices. Agencies are responsible for ensuring that their personnel are properly trained in practices related to CUI.

Other Stakeholders

The EA will consult with representatives of the public and State, local, tribal, and private sector partners on matters related to approving categories and subcategories of CUI and developing implementing directives.



Overview of CUI Implementation





Resources

- **E.O. 13556:** <http://www.federalregister.gov/articles/2010/11/09/2010-28360/controlled-unclassified-information>
- **Initial Reaction:** <http://www.archives.gov/cui/what-others-are-saying.html>
- **Controlled Unclassified Information (CUI) Office Notice 2011-01: Initial Implementation Guidance for Executive Order 13556:**
<http://www.archives.gov/cui/documents/2011-cuio-notice-2011-01-initial-guidance.pdf>
- **Department and Agency Resources:** <http://www.archives.gov/cui/cui-resources.html>
- **Handout:** <http://www.archives.gov/cui/documents/2011-what-is-cui-bifold-brochure.pdf>
- **CUI FAQs:** <http://www.archives.gov/cui/faqs.html>
- **CUI Awareness and EO Training:** <http://www.archives.gov/cui>

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